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PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER

AMENDMENT OF EXECUTIVE ORDER NO. 7302 OF FEBRUARY 21, 1936, TRANSFERRING CERTAIN LANDS TO THE CONTROL AND JURISDICTION OF THE SECRETARY OF THE NAVY

Virgin Islands

By virtue of and pursuant to the authority vested in me by the act of March 3, 1917, ch. 171, 39 Stat. 1132, and the Second Deficiency Act, Fiscal Year 1931, 46 Stat. 1552, 1570, and as President of the United States, Executive Order No. 7302 of February 21, 1936, transferring certain lands in the Virgin Islands from the control and jurisdiction of the Secretary of the Interior to the control and jurisdiction of the Secretary of the Navy for use in the establishment, construction, and operation of aviation facilities, as amended by Executive Order No. 7686 of August 5, 1937,¹ is hereby further amended by adding thereto the following:

"It is further ordered that the following-described lands be, and they are hereby, subject to valid existing rights, transferred from the control and jurisdiction of the Secretary of the Interior to the control and jurisdiction of the Secretary of the Navy for use in the establishment, construction, and operation of aviation facilities:

"All the lands designated as parcel 'A', containing 32.7 acres, more or less, on Public Works Drawing D3-41-T37, dated September 8, 1937, entitled 'Survey of Part of Botanical Garden, Estate Lindbergh Bay, St. Thomas, V. I.', shown on plat marked 'Exhibit A', attached hereto and made a part hereof,² and more particularly described by metes and bounds as follows:

"Beginning at bound post No. 305, the line runs North 86°-18' West, a distance of 599.0 feet to a point on the western boundary of Lindbergh Bay Estate, said boundary running between bound posts No. 9 and No. 10 as shown on Public Works Drawing No. A3-12-T33, the point being 1,377 feet North of bound post No. 10, thence uphill, North 1°-50' East, a distance of 910 feet to bound post No. 9, thence North 0°-24' West, a distance 1,398 feet to bound post No. 264, thence South 74°-34' East, a distance of 722.8 feet to bound post No. 267, thence downhill, South 3°-09' West, a distance of 2,157.0 feet to bound post No. 305, the point of beginning.

"All the lands designated as parcel 'C' on said Public Works Drawing D3-41-T37, shown on Exhibit 'A', containing 13.2 acres, more or less, adjoining the land to the north of the public road from the town of Charlotte Amalie, St. Thomas, V. I., to John Brewer's Bay, St. Thomas, V. I.,

designated as parcel 'B' on said drawing and exhibit, containing 29.7 acres, more or less (which said parcel 'B' has already been transferred to the control and jurisdiction of the Secretary of the Interior by Executive Order No. 7686 of August 5, 1937), the said parcel 'C' lying north of the said public road and south and west of the boundary line described by metes and bounds as follows:

"Beginning at bound post 'F' established by U. S. Marines in their survey of December, 1936; thence South 89°-53' East a distance of 170.0 feet to bound post No. 149 shown on Public Works Drawing A3-12-T33 (Map of Homestead Subdivision of Estate Lindbergh Bay) of February 21, 1933; thence South 87°-04' East a distance of 463.4 feet to bound post No. 184, which was the southeast corner of Botanical Garden site; thence North 6°-47' West a distance of 422.0 feet to a point to be marked by bound post after transfer; thence North 82°-49' West a distance of 342.5 feet to a point to be marked later on the east side of road giving access to the present Botanical Garden; thence North 7°-11' East a distance of 49.5 feet alongside of said road to a point to be marked later; thence North 79°-09' West a distance of 17.5 feet to a point on the west side of above-mentioned road, to be marked later; thence North 46°-29' West a distance of 197.8 feet to a point to be marked later; thence North 55°-54' West a distance of 126.0 feet to bound post No. 254, a bound post of the original subdivision shown on Public Works Drawing A3-12-T33; thence following the lines of the original subdivision, North 39°-51' West a distance of 421.0 feet to bound post No. 304; thence North 75°-43' West a distance of 372.5 feet to bound post No. 306; thence North 19°-21' West a distance of 321.5 feet to bound post No. 305. (Said boundary description forms the eastern boundary of that area now occupied by the Civilian Conservation Corps Camp V-1 and a part of the Botanical Garden site).

"Provided, that that portion of these areas which is now occupied by the Civilian Conservation Corps Camp V-1, shall continue to be available for the use of the Civilian Conservation Corps until such time as the Secretary of the Interior determines that it is no longer needed for such use; *Provided further*, that the entrance road from the main road to the Botanical Garden shall be available to the public at all times when the Botanical Garden is open to the public: *And provided further*, that there shall be free ingress and egress at all times over the said road for employees of the Botanical Garden."

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
January 12, 1938.

[No. 7790]

[F. R. Doc. 38-132; Filed, January 13, 1938; 2:07 p. m.]

¹ 2 F. R. 1641 (DI).

² Filed with the original document in the Division of the Federal Register, The National Archives.



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TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 49341]

AIRPORT OF ENTRY

CALEXICO MUNICIPAL AIRPORT, CALEXICO, CALIFORNIA, REDESIGNATED AS AN AIRPORT OF ENTRY FOR A PERIOD OF ONE YEAR

JANUARY 11, 1938.

To Collectors of Customs and Others Concerned:

Under the authority of section 7 (b) of the Air Commerce Act of 1926 (U. S. C., title 49, sec. 177 (b)), the Calexico Municipal Airport, Calexico, California, is hereby redesignated for a period of one year from January 10, 1938, as an airport of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the said act (U. S. C., title 49, sec. 179 (b)).

[SEAL]

STEPHEN B. GIBBONS,
Acting Secretary of the Treasury.

[F. R. Doc. 38-134; Filed, January 13, 1938; 4:08 p. m.]

DEPARTMENT OF THE INTERIOR.

National Bituminous Coal Commission.

[Order No. 183]

AN ORDER MODIFYING ORDER NO. 90, AS MODIFIED BY ORDERS NOS. 138, 149 AND 160, AND SUPPLEMENTING THE SCHEDULE OF MINIMUM PRICES FOR COALS OF CODE MEMBERS PRODUCED WITHIN DISTRICT NO. 2, BY ADDING THERETO A SUPPLEMENTAL SCHEDULE OF PRICES, TO BE KNOWN AS "SUPPLEMENT NO. 4 TO PRICE SCHEDULE NO. 1—DISTRICT NO. 2"

The National Bituminous Coal Commission having by its Order No. 90, as modified by Orders Nos. 138, 149 and 160,¹ determined and established the Minimum Prices of Coals of Code Members Produced within District No. 2, as set forth in "Price Schedule No. 1—District No. 2", as supplemented by "Supplements Nos. 1, 2 and 3", and having determined that the provisions of subsections (a) and (b) of Part II of Section 4 of the Act and the purposes thereof will be carried out more effectively by supplementing the aforesaid Schedule and Supplements by a further Supplement as hereinafter provided:

Now, therefore, pursuant to Act of Congress entitled "An Act to Regulate Interstate Commerce in Bituminous Coal, and for other purposes" (Public, No. 48, 75th Cong., 1st Sess.), known as the Bituminous Coal Act of 1937, the National Bituminous Coal Commission hereby orders:

1. That the Minimum Prices of Coals of Code Members Produced within District No. 2, established in Price Schedule No. 1—District No. 2, and Supplements Nos. 1, 2 and 3 thereto, are hereby corrected and revised as set forth in "Supplement No. 4 to Price Schedule No. 1—District No. 2", filed this day in the office of the Secretary of the Commission and made a part hereof by reference as though fully set forth herein, and such minimum prices as shown in said Supplement No. 4 shall be and hereby are determined and established as Minimum Prices of Coals of Code Members within District No. 2, and shall be and become effective at 12:01 o'clock A. M. on the 24th day of January, 1938.

2. That said Orders Nos. 90, 138, 149 and 160, and Price Schedule No. 1—District No. 2, and Supplements Nos. 1, 2 and 3 thereto, except as modified herein and by said Supplement No. 4 to Price Schedule No. 1—District No. 2, shall remain in full force and effect.

3. That the Secretary of the Commission shall forthwith mail copies of this Order and "Supplement No. 4 to Price Schedule No. 1—District No. 2" to the Consumers' Counsel;

¹ 2 F. R. 135 (DI).

² 2 F. R. 3010, 3272, 3376, 3384 (DI).

the Secretaries of the Bituminous Coal Producers' Boards, and to Code Members within District No. 2; shall cause copies of this Order and said Supplement No. 4 to be made available for inspection by all interested parties at the Secretary's office of the Commission and at all Statistical Bureaus of the Commission; and shall cause to be published a copy of this Order in the FEDERAL REGISTER.

By order of the Commission.

Dated this 12th day of January, 1938.

[SEAL] F. WITCHER McCULLOUGH, Secretary.

[F. R. Doc. 38-135; Filed, January 14, 1938; 12:03 p. m.]

[Order No. 184]

AN ORDER MODIFYING ORDER NO. 96, AS MODIFIED BY ORDERS NOS. 132 AND 164, AND SUPPLEMENTING THE SCHEDULE OF MINIMUM PRICES FOR COALS OF CODE MEMBERS PRODUCED WITHIN DISTRICT NO. 8, BY ADDING THERETO A SUPPLEMENTAL SCHEDULE OF PRICES, TO BE KNOWN AS "SUPPLEMENT NO. 3 TO PRICE SCHEDULE NO. 1—DISTRICT NUMBER 8"

The National Bituminous Coal Commission having by its Order No. 96, as modified by Orders Nos. 132 and 164,¹ determined and established the minimum prices of coals of Code Members produced within District No. 8, as set forth in "Price Schedule No. 1—District No. 8", and "Supplements Nos. 1 and 2 to Price Schedule No. 1—District No. 8", and having determined that the provisions of subsections (a) and (b) of Part II of Section 4 of the Act and the purposes thereof will be carried out more effectively by supplementing the aforesaid Price Schedule and Supplements by a further Supplement as hereinafter provided;

Now, therefore, pursuant to Act of Congress entitled "An Act to Regulate Interstate Commerce in Bituminous Coal, and for other purposes" (Public, No. 48, 75th Cong., 1st Sess.), known as the Bituminous Coal Act of 1937, the National Bituminous Coal Commission hereby orders:

1. That the Minimum Prices of Coals of Code Members Produced within District No. 8, established in Price Schedule No. 1—District No. 8, and Supplements Nos. 1 and 2 thereto, are hereby corrected and revised as set forth in Supplement No. 3 to Price Schedule No. 1—District No. 8, filed this day in the office of the Secretary of the Commission and made a part hereof by reference as though fully set forth herein, and such Minimum Prices as shown in said Supplement No. 3 shall be and hereby are determined and established as Minimum Prices of Coals of Code Members within District No. 8, and shall be and become effective at 12:01 o'clock A. M. on the 24th day of January, 1938.

2. That said Orders Nos. 96, 132 and 164 and Price Schedule No. 1—District No. 8, and Supplements Nos. 1 and 2 thereto, except as modified herein and by said Supplement No. 3 to Price Schedule No. 1—District No. 8, shall remain in full force and effect.

3. That the Secretary of the Commission shall forthwith mail copies of this Order and Supplement No. 3 to Price Schedule No. 1—District No. 8 to the Consumers' Counsel; the Secretaries of the Bituminous Coal Producers' Boards, and to Code Members within District No. 8; shall cause copies of this Order and said Supplement No. 3 to be made available for inspection by all interested parties at the Secretary's office of the Commission and at all Statistical Bureaus of the Commission; and shall cause to be published a copy of this Order in the FEDERAL REGISTER.

By order of the Commission.

Dated this 12th day of January, 1938.

[SEAL] F. WITCHER McCULLOUGH, Secretary.

[F. R. Doc. 38-136; Filed, January 14, 1938; 12:03 p. m.]

¹ 2 F. R. 3040, 3281, 3388 (DI).

[Order No. 185]

AN ORDER MODIFYING ORDER NO. 99, AS MODIFIED BY ORDERS NOS. 137 AND 154, AND SUPPLEMENTING THE SCHEDULE FOR MINIMUM PRICES FOR COALS OF CODE MEMBERS PRODUCED WITHIN DISTRICT NO. 11, BY ADDING THERETO A SUPPLEMENTAL SCHEDULE OF PRICES, TO BE KNOWN AS "SUPPLEMENT NO. 3 TO PRICE SCHEDULE NO. 1—DISTRICT NO. 11"

The National Bituminous Coal Commission having by its Order No. 99, as modified by Orders Nos. 137 and 154,¹ determined and established the Minimum Prices of Coals of Code Members Produced within District No. 11 as set forth in "Price Schedule No. 1—District No. 11", and "Supplements Nos. 1 and 2 to Price Schedule No. 1—District No. 11", and having determined that the provisions of subsections (a) and (b) of Part II of Section 4 of the Act and the purposes thereof will be carried out more effectively by supplementing the aforesaid Price Schedule and Supplements by a further Supplement as hereinafter provided;

Now, therefore, pursuant to Act of Congress entitled "An Act to Regulate Interstate Commerce in Bituminous Coal, and for other purposes" (Public, No. 48, 75th Cong., 1st Sess.), known as the Bituminous Coal Act of 1937, the National Bituminous Coal Commission hereby orders:

1. That the Minimum Prices of Coals of Code Members Produced within District No. 11, established in Price Schedule No. 1—District No. 11, and Supplements Nos. 1 and 2 thereto, are hereby corrected and revised as set forth in Supplement No. 3 to Price Schedule No. 1—District No. 11, filed this day in the office of the Secretary of the Commission and made a part hereof by reference as though fully set forth herein, and such Minimum Prices as shown in said Supplement No. 3 shall be and hereby are determined and established as Minimum Prices of Coals of Code Members within District No. 11, and shall be and become effective at 12:01 o'clock A. M. on the 24th day of January, 1938.

2. That said Orders Nos. 99, 137 and 154, and Price Schedule No. 1—District No. 11, and Supplements Nos. 1 and 2 thereto, except as modified herein and by said Supplement No. 3 to Price Schedule No. 1—District No. 11, shall remain in full force and effect.

3. That the Secretary of the Commission shall forthwith mail copies of this Order and Supplement No. 3 to Price Schedule No. 1—District No. 11 to the Consumers' Counsel; the Secretaries of the Bituminous Coal Producers' Boards, and to Code Members within District No. 11; shall cause copies of this order and said Supplement No. 3 to be made available for inspection by all interested parties at the Secretary's office of the Commission and at all Statistical Bureaus of the Commission; and shall cause to be published a copy of this Order in the FEDERAL REGISTER.

By order of the Commission.

Dated this 12th day of January, 1938.

[SEAL] F. WITCHER McCULLOUGH, Secretary.

[F. R. Doc. 38-137; Filed, January 14, 1938; 12:03 p. m.]

[Order No. 186]

AN ORDER MODIFYING ORDER NO. 101, AS MODIFIED BY ORDERS NOS. 114, 135 AND 165, AND SUPPLEMENTING THE SCHEDULE OF MINIMUM PRICES FOR COALS OF CODE MEMBERS PRODUCED WITHIN DISTRICT NO. 13, BY ADDING THERETO A SUPPLEMENTAL SCHEDULE OF PRICES, TO BE KNOWN AS "SUPPLEMENT NO. 3 TO SCHEDULE NO. 1—DISTRICT NO. 13"

The National Bituminous Coal Commission having by its Order No. 101, as modified by Orders Nos. 114, 135 and 165,² determined and established the Minimum Prices of Coals of Code Members Produced within District No. 13, as set forth

¹ 2 F. R. 3062, 3318, 3380 (DI).

² 2 F. R. 3070, 3207, 3265, 3392 (DI).

in "Price Schedule No. 1—District No. 13", as supplemented by "Supplements Nos. 1 and 2," and having determined that the provisions of subsections (a) and (b) of Part II of Section 4 of the Act and the purposes thereof will be carried out more effectively by supplementing the aforesaid Schedule and Supplements by further Supplement as hereinafter provided.

Now, therefore, pursuant to Act of Congress entitled "An Act to Regulate Interstate Commerce in Bituminous Coal, and for other purposes" (Public, No. 48, 75th Cong., 1st Sess.), known as the Bituminous Coal Act of 1937, the National Bituminous Coal Commission hereby orders:

1. That the Minimum Prices of Coals of Code Members Produced within District No. 13, established in "Price Schedule No. 1—District No. 13", as supplemented by "Supplements Nos. 1 and 2 to Price Schedule No. 1—District No. 13", are hereby further supplemented as set forth in "Supplement No. 3 to Price Schedule No. 1—District No. 13", filed this day in the office of the Secretary of the Commission and made a part hereof by reference as though fully set forth herein, and such Minimum Prices, as shown in said Supplement No. 3, shall be and hereby are determined and established as Minimum Prices of Coals of Code Members within District No. 13, and shall be and become effective at 12:01 o'clock A. M. on the 24th day of January, 1938.

2. That said Orders Nos. 101, 114, 135 and 165, and Price Schedule No. 1—District No. 13, and Supplements Nos. 1 and 2 thereto, except as modified herein and by said Supplement No. 3 to Price Schedule No. 1—District No. 13, shall remain in full force and effect.

3. That the Secretary of the Commission shall forthwith mail copies of this Order and Supplement No. 3 to Price Schedule No. 1—District No. 13 to the Consumers' Counsel; the Secretaries of the Bituminous Coal Producers' Boards, and to Code Members within District No. 13; shall cause copies of this Order and said Supplement No. 3 to be made available for inspection by all interested parties at the Secretary's office of the Commission and at all Statistical Bureaus of the Commission; and shall cause to be published a copy of this order in the FEDERAL REGISTER.

By order of the Commission.

Dated this 12th day of January, 1938.

[SEAL] F. WITCHER McCULLOUGH, Secretary.

[F. R. Doc. 38-138; Filed, January 14, 1938; 12:03 p. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

ALLOTMENT OF 1938 LIQUID SUGAR QUOTAS FOR FOREIGN COUNTRIES

NOTICE OF HEARING AND DESIGNATION OF PRESIDING OFFICERS

Pursuant to the authority contained in Section 205 (a) of the Sugar Act of 1937 (Public No. 414, 75th Congress) and on the basis of the information now before me, I, H. A. Wallace, Secretary of Agriculture, do hereby find that the allotment of the 1938 liquid sugar quotas for foreign countries, established pursuant to section 208 of the said act, is necessary to afford all interested persons an equitable opportunity to market such sugar, and hereby give notice that a public hearing will be held at Washington, D. C., in the auditorium of the United States Department of Agriculture, on January 24, 1938, at 10 a. m.

The purpose of such hearing is to receive evidence to enable the Secretary of Agriculture to make a fair, efficient, and equitable distribution of the above-mentioned quotas among persons who bring liquid sugar from foreign countries into the continental United States, and such other evidence as may be pertinent to the exercise of the powers vested in the Secretary of Agriculture under section 205 (a) of the said act.

Mr. Robert B. Tyler and Mr. John C. Bagwell are hereby designated as presiding officers to conduct either jointly or severally the foregoing hearing.

Done at Washington, D. C., this 13th day of January 1938. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 38-141; Filed, January 14, 1938; 12:45 p. m.]

Bureau of Animal Industry.

[Amendment 15 to Declaration No. 12]

DECLARING NAMES OF COUNTIES PLACED IN MODIFIED TUBERCULOSIS-FREE ACCREDITED AREAS

JANUARY 3, 1938.

In accordance with Section 2 of Regulation 7 of B. A. I. Order 309, as amended September 10, 1936,¹ the following named counties in the States named having completed the necessary retests for reaccreditation, are hereby continued in the status of "Modified Accredited Areas" until the date given opposite each county named.

Alabama: Calhoun, January 2, 1941.

Arkansas: Garland, January 2, 1941; Howard, January 2, 1941; Nevada, January 2, 1941; Pike, January 2, 1941; Sevier, January 2, 1941.

Colorado: Chaffee, January 2, 1941; El Paso, January 2, 1941; Fremont, January 2, 1941.

Florida: De Soto, January 2, 1941; Hillsborough, January 2, 1941; Volusia, January 2, 1941.

Georgia: Jenkins, January 2, 1941; Marion, January 2, 1941; Talbot, January 2, 1941; Webster, January 2, 1941.

Idaho: Clark, January 2, 1941.

Indiana: Decatur, January 2, 1941; Grant, January 2, 1941; Jackson, January 2, 1941; Lake, January 2, 1941; Warrick, January 2, 1941.

Iowa: Benton, January 2, 1941; Crawford, January 2, 1941; Dallas, January 2, 1941; Greene, January 2, 1941; Montgomery, January 2, 1941; Wright, January 2, 1941.

Kansas: Ellsworth, January 2, 1941; Mitchell, January 2, 1941; Montgomery, January 2, 1941; Osborne, January 2, 1941; Ottawa, January 2, 1941; Wabaunsee, January 2, 1941.

Kentucky: Bath, January 2, 1941; Warren, January 2, 1941.

Minnesota: Carver, January 2, 1944.

Mississippi: Clay, January 2, 1941; Lee, January 2, 1941.

Missouri: Buchanan, January 2, 1941; Cedar, January 2, 1941; Gentry, January 2, 1941; Lewis, January 2, 1941; Lincoln, January 2, 1941; Nodaway, January 2, 1941; Platte, January 2, 1941; Vernon, January 2, 1941; Worth, January 2, 1941.

Nebraska: Saunders, January 2, 1941.

North Carolina: Alexander, January 2, 1941; Randolph, January 2, 1941.

Ohio: Knox, January 2, 1941; Pike, January 2, 1941.

Pennsylvania: Adams, January 2, 1941; Cameron, January 2, 1941; Forest, January 2, 1941; Lehigh, January 2, 1941; McKean, January 2, 1941; Susquehanna, January 2, 1941.

Tennessee: Anderson, January 2, 1941; Blount, January 2, 1941; Henderson, January 2, 1941.

Texas: Carson, January 2, 1941; Coke, January 2, 1941; Hunt, January 2, 1941; Red River, January 2, 1941; Scurry, January 2, 1941; Wheeler, January 2, 1941; Wilbarger, January 2, 1941.

Virginia: Dinwiddie, January 2, 1941; James City, January 2, 1941; Spotsylvania, January 2, 1941; Warren, January 2, 1941; Warwick, January 2, 1941; York, January 2, 1941.

West Virginia: Calhoun, January 2, 1941.

¹ 1 F. R. 1338.

Declaration No. 12, dated October 1, 1936,¹ as amended, is hereby further amended accordingly.

[SEAL]

J. R. MOHLER,
Chief of Bureau.

[F. R. Doc. 38-140; Filed, January 14, 1938; 12:45 p. m.]

NOTICE

JANUARY 13, 1938.

To I. M. BEASLEY, doing business as Jackson Livestock Commission Company, Jackson, Miss.

Whereas Section 301 of Title III of an Act of Congress entitled "An Act to regulate interstate and foreign commerce in livestock, livestock products, dairy products, poultry, poultry products, and eggs, and for other purposes", approved August 15, 1921, provides in part that, when used in said Act, the term "stockyard owner" means any person engaged in the business of conducting or operating a stockyard; and Section 302 of said Act provides as follows:

(a) When used in this title the term "stockyard" means any place, establishment, or facility commonly known as stockyards, conducted or operated for compensation or profit as a public market, consisting of pens, or other inclosures, and their appurtenances, in which live cattle, sheep, swine, horses, mules, or goats are received, held, or kept for sale or shipment in commerce. This title shall not apply to a stockyard of which the area normally available for handling livestock, exclusive of runs, alleys, or passage ways, is less than twenty thousand square feet.

(b) The Secretary shall from time to time ascertain, after such inquiry as he deems necessary, the stockyards which come within the foregoing definition, and shall give notice thereof to the stockyard owners concerned, and give public notice thereof by posting copies of such notice in the stockyard, and in such other manner as he may determine. After the giving of such notice to the stockyard owner and to the public, the stockyard shall remain subject to the provisions of this title until like notice is given by the Secretary that such stockyard no longer comes within the foregoing definition:

Notice is hereby given that after inquiry it has been ascertained by me as Secretary of Agriculture of the United States that the stockyard known as Jackson Livestock Commission Company, at Jackson, State of Mississippi, comes within the foregoing definition and is subject to the provisions of said Act.

The attention of stockyard owners, market agencies, dealers and other persons concerned is directed to Sections 303 and 306 and other pertinent provisions of said Act and the rules and regulations issued thereunder by the Secretary of Agriculture.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 38-139; Filed, January 14, 1938; 12:45 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 13th day of January, 1938.

[File No. 1-1648]

IN THE MATTER OF THE ANNAPOLIS DAIRY PRODUCTS COMPANY
1ST MORTGAGE 15-YEAR 6% GOLD BONDS, DUE 1943

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND
REGISTRATION

The Annapolis Dairy Products Company, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule JD2 promulgated thereunder, having made application to withdraw its 1st Mortgage 15-Year 6% Gold Bonds, due 1943, from listing and registration on the Baltimore Stock Exchange; and

¹ F. R. 2024.

After appropriate notice,² a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on January 23, 1938.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-142; Filed, January 14, 1938; 12:54 p. m.]

United States of America—Before Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 14th day of January, A. D. 1938.

IN THE MATTER OF PRIMA COMPANY COMMON STOCK, NO PAR
VALUE

ORDER TO SHOW CAUSE AND FOR HEARING, DESIGNATING OFFICER AND
TIME AND PLACE FOR TAKING TESTIMONY

Whereas Prima Company, a corporation, is the issuer of Common Stock, No Par Value; and

Whereas said Prima Company registered such securities on the Chicago Stock Exchange, a national securities exchange, by filing on or about May 31, 1935, an application with the said Exchange and with the Commission pursuant to Section 12 (b) of the Securities Exchange Act of 1934, as amended, and pursuant to Rule JB1, as amended, promulgated by the Commission thereunder; and

Whereas Section 13 (a) and (b) of said Securities Exchange Act of 1934, as amended, requires that every issuer of a security registered on a national securities exchange shall file such annual reports as the Commission may by rule and regulation prescribe; and

Whereas said Prima Company filed on or about May 2, 1936, an annual report on Form 10-K for the fiscal year ended December 31, 1935, pursuant to Section 13 (a) and (b) of said Securities Exchange Act of 1934, as amended, and Rules KA1 and KA2 promulgated thereunder; and

Whereas, said Prima Company has failed to comply with the provisions of said Section 13 (a) and (b), said Rules KA1 and KA2, and with the provisions of said Form 10-K, and with the provisions of the Instructions for said Form 10-K and the Rules and Regulations of the Commission supplemental thereto, as amended, in that the annual report filed by it for the year ended December 31, 1935

(1) Fails to contain the date of incorporation of the registrant on the facing sheet;

(2) Fails to include as part of said annual report, an accountant's certificate to the financial statements which is manually signed, and which is reasonably comprehensive as to the scope of the audit, although required by Item 8 of said Form 10-K and the Instructions thereto, and the Rules and Regulations of the Commission;

(3) Fails to include descriptive headings for each column set forth in Schedule VI to properly identify the material contained in said Schedule, although required by Item 8 of said Form 10-K and the Instructions thereto and the Rules and Regulations of the Commission;

(4) Fails to include descriptive headings for each column set forth in Schedule VIII to properly identify the material contained in said Schedule, although required by Item 8 of said Form 10-K and the Instructions thereto and the Rules and Regulations of the Commission;

(5) Fails to contain in Item 12 information with respect to the sale of 5% Mortgage Notes, although required by that Item and the Rules and Regulations of the Commission; and

² F. R. 3114 (DI).

(6) Fails to contain in the form of an exhibit filed as a part of said annual report, copies of the indenture, mortgage, or other constituent instrument defining the rights of the securities issued during the fiscal year, although required by the Instructions to Form 10-K and the Rules and Regulations of the Commission.

Whereas said Prima Company has failed to comply with Section 13 (a) and (b) of said Securities Exchange Act, as amended, and with Rules KA1 and KA2 promulgated by the Commission thereunder, in that as issuer of said Common Stock, No Par Value, it has failed to file the information and documents required by Rule KA1, adopted by the Commission pursuant to said Section 13 (a) and has failed to file its annual report for the year ended December 31, 1936, on Form 10-K, as required by Rule KA2, adopted by the Commission pursuant to said Section 13 (b);

It is ordered, That pursuant to Section 19 (a) (2) of said Securities Exchange Act of 1934, as amended, a hearing be held to determine whether said Prima Company has so failed to comply with said provisions of said Section 13 (a) and (b) and said Rules and Regulations promulgated by the Commission thereunder, or with either provision of said Section, or of any Rule or Regulation promulgated by the Commission under said Section, and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of said Common Stock, No Par Value, on said Chicago Stock Exchange; and

It is further ordered, That said Prima Company appear before an officer of the Commission and show cause why the registration of said Common Stock, No Par Value, on said Chicago Stock Exchange should not be suspended for a period not exceeding twelve months or withdrawn as provided in Section 19 (a) (2) of the Securities Exchange Act of 1934, as amended; and

It is further ordered, That for the purpose of such proceeding, Henry Pitts, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, That a public hearing for the taking of testimony begin on the 28th day of January at 10:00 A. M. at the Regional Office of the Securities and Exchange Commission, 105 West Adams Street, Chicago, Illinois, and continue thereafter at such times and places as said officer may determine.

By direction of the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 38-143; Filed, January 14, 1938; 12:54 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 13th day of January, A. D. 1938.

[File No. 46-86]

IN THE MATTER OF THE APPLICATION OF SIOUX CITY GAS & ELECTRIC COMPANY

ORDER PURSUANT TO SECTION 10, PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

Sioux City Gas & Electric Company, a registered holding company, having filed an application pursuant to Section 10 (a) (1) of the Public Utility Holding Company Act of 1935, for approval of the acquisition by it of 2,000 shares of the par value of \$25 per share of common stock of Yankton Gas Company, notes in the principal amount of \$88,000 of said Yankton Gas Company, together with accrued interest thereon and an open account in the sum of \$3,678; a hearing on said application as amended having been held after appropriate notice; the record in this matter having been examined; and the Commission having made appropriate findings herein;

It is ordered, That the acquisition of the securities covered by said application be, and the same hereby is, approved subject to such application being consummated and the accounts of Yankton Gas Company being adjusted substantially as set forth in the application and the amendments thereto.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 38-144; Filed, January 14, 1938; 12:54 p. m.]

VETERANS' ADMINISTRATION.

REVISION OF REGULATIONS

MEDICAL EXAMINATIONS

R-2095 (D) *Examinations of employee-claimants*.—Examinations of employees of the Veterans' Administration shall be made in a Veterans' Administration facility or regional office elsewhere than at the place of employment except as otherwise approved by the Administrator. (January 15, 1938.) (Veterans' Regulation No. 1-a.)

[SEAL]

FRANK T. HINES,
Administrator of Veterans' Affairs.

[F. R. Doc. 38-133; Filed, January 13, 1938; 3:26 p. m.]

¹ 2 F. R. 3297 (DI).